

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MOOG INC.,

Plaintiff,

v.

Case No.: _____

SKYRYSE, INC., ROBERT ALIN
PILKINGTON, MISOOK KIM, and DOES NOS.
1-50,

Defendants.

DECLARATION OF JAMIE DALY

JAMIE DALY, under penalty of perjury and pursuant to 28 U.S.C. § 1746,
declares the following to be true and correct:

I. Background

1. My name is Jamie Daly. I provide this declaration in support of Moog Inc.'s Motion for a Temporary Restraining Order/Preliminary Injunction. I am over the age of 18 years. I have personal knowledge of the matters set forth herein and if called as a witness, I could and would competently testify as to all facts set forth herein.

2. I received a B.A. in English Language and Literature from Niagara University in 2011. I received a Masters of Science, Communication and Leadership from Canisius College in 2012.

3. I have worked at Moog Inc. ("Moog") since 2012, when I started as a Supply Chain Administrative Assistant. Since February 2021, I have served as Human Resources

Business Partner, AG Engineering. At all relevant times, I have lived in New York and worked out of Moog's New York offices.

II. Communications with Misook Kim

4. I have reviewed the employment file of former Moog employee Misook Kim, as well as documents related to her ending employment at Moog. A true and correct copy of a Moog exit form signed by Ms. Kim on December 17, 2021 (her last date of employment at Moog), is attached hereto as **Exhibit A**.

5. On February 18, 2022, I sent a letter to former Moog employee Misook Kim at 2120 Bridgeport Way, Torrance, CA 90503 (the address on file with Moog for her), identifying a certain external hard drive that was missing and that Ms. Kim had taken with her after her employment with Moog ended, and demanded its return no later than February 22, 2022. A true and correct copy of this letter is attached hereto as **Exhibit B**.

6. On February 21, 2022 at 11:07 a.m. EST, Ms. Kim left me a voicemail on my Moog-issued phone. In the voicemail, Ms. Kim let me know that it was Misook Kim, that she had received my letter in the mail, and was looking for me to call her back at a phone number provided (1-310-850-0645).

7. I called Ms. Kim back at 12:17 p.m. EST, advising that I had received her voicemail and thanked her for calling me about the letter. Ms. Kim told me that she had a Moog external hard drive at her house and had taken it with her when she left Moog's employment in December 2021. Ms. Kim stated that she left Moog at a critical time for her project, and had downloaded a large set of files on the external hard drive in order to have them in case she needed to help current Moog employees with the work that she had left behind. I then asked Ms. Kim what program the files were for, and Ms. Kim stated they were for Sensitive Government

Program 1. Ms. Kim then stated that she had deleted all the files she had downloaded onto the external hard drive, all the data was gone, and claimed she had not shared the data with anyone before deleting the files. I then asked Ms. Kim if Moog could have the external hard drive returned, and Ms. Kim agreed. I asked that the hard drive be delivered by February 22, 2022. Ms. Kim agreed and we agreed that Mike Johnnie, AG Director of Engineering located in the Torrance, California office, would take ultimate possession of the hard drive.

8. Later that day on February 21, 2022, I called Mr. Johnnie to let him know that the external hard drive would be delivered to Moog's Torrance, California offices. Mr. Johnnie then confirmed with me that the external hard drive had been delivered by Ms. Kim at 2:25 p.m. EST on February 21, 2022 to Brian Ionescu outside of Moog's Torrance, California offices. Mr. Ionescu then provided the device to Mr. Johnnie, who would keep it in a secure, locked location.

I declare that the foregoing is true and correct under penalty of perjury under the laws of the United States of America.

Dated: March 6, 2022



Jamie Daly